

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-40839-2018 (O&M)
Date of Decision:-24.9.2018

Parvesh Kumar and another ... Petitioners

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Bhupinder Ghai, Advocate, for the petitioners.

Mr. A.S. Sandhu, Additional Advocate General, Punjab.

GURVINDER SINGH GILL, J.(Oral)

The petitioners seek grant of anticipatory bail in respect of a case registered against them vide FIR No.315 dated 21.8.2018 under Sections 384, 506 and 34 of Indian Penal Code, 1860 at Police Station Zirakpur, District Mohali.

Today, at the very outset, the learned counsel for the petitioners submits that petitioner No.1 has since been arrested and that he may be permitted to withdraw the present petition qua petitioner No.1.

In view of the aforesaid request the present petition is dismissed as withdrawn qua petitioner No.1.

The allegations, in nutshell, are that the complainant is into the business of 'Atta Chakki' and that the present petitioner Ravi Kumar along with his co-accused Parvesh Kumar had approached him and had introduced themselves as reporters of PTC Channel and while threatening him that the complainant was doing illegal work, demanded an amount of

₹ 20,000/- from him. The complainant being scared, gave an amount of ₹ 10,000/-.

Notice of motion was issued to the State.

The learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that infact the petitioner Ravi Kumar was collecting business of advertisements from various shop-owners on the occasion of Independence Day and that the complainant had agreed to give an amount of ₹ 2,000/- in lieu of an advertisement in 'You Tube' channel. The learned counsel for the petitioner has submitted that infact pursuant to the said booking of advertisement, the advertisement did appear in the 'You Tube' channel on 15th August. The learned counsel, in this context, has drawn the attention of this Court to the photo printouts of the said advertisements, annexed with the present petition as Annexure P-2.

On the other hand, the learned State counsel submits that the veracity of the allegations is virtually established from the CCTV footage collected from the spot and that in any case recovery of an amount of ₹ 5,000/- is to be effected from the petitioner although the balance amount of ₹ 5,000/- already stands recovered from the co-accused, who has since been arrested.

Having heard the learned counsel for the petitioner and also the learned State counsel, I find that the factum of CCTV footage would not be material, inasmuch as the petitioner himself is admitting his presence at the spot, wherein he has taken a plea that he had visited the premises of the 'Atta Chakki' of the complainant to collect business of advertisements, which were infact displayed on the 'You Tube' channel.

In any case, bearing in mind the facts and circumstances and the amount involved, in my opinion, it is not a case warranting custodial interrogation. The petition, as such, is accepted and in the event of arrest, the petitioner Ravi Kumar be released on bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner Ravi Kumar shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

The present petition stands disposed of accordingly.

24.9.2018

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No